



Preserving America's Heritage

May 29, 2019

MuckRock News  
Attn: Emma Best  
DEPT MR 73774  
411A Highland Ave  
Somerville, MA 02144-2516

Re: Response to Freedom of Information Act Request No. 2019-006

Dear Ms. Best:

This letter responds to your Freedom of Information Act (FOIA) request dated May 21, 2019.

You requested the following records:

- A. Documents generated as part of the creation of the FOIA office (defined as whatever department, office, or coordinator is responsible for overseeing and/or processing FOIA requests), whether this was at the time of the agency's creation or the passage of the Freedom of Information Act, to include:
  1. The instruction to do so from the Agency, as well as any guidance from the senior leadership
  2. Documents discussing proposals and procedures
  3. Any legal guidance or analysis produced or acquired by the Agency in response to or as part of the creation of the FOIA office
  4. Internal documents from the press office, legislative liaison's office (or equivalent), general counsel's office (or equivalent), director's office (or equivalent) or the newly created FOIA office, reacting to or characterizing the office and its creation
- B. A copy of the agency's first perfected (successful) FOIA request
- C. Copies of other FOIA requests filed before the FOIA request described above
- D. Processing notes, search slips and response documents regarding the FOIA requests described above
- E. The first set of guidelines, instructions and/or forms created to control the agency's processing of FOIA requests
- F. A copy of the agency's first successful FOIA appeal

ADVISORY COUNCIL ON HISTORIC PRESERVATION

401 F Street NW, Suite 308 • Washington, DC 20001-2637  
Phone: 202-517-0200 • Fax: 202-517-6381 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)

- G. Copies of other FOIA appeals received by the agency before the appeal described above
- H. Processing notes, search slips and response documents regarding the FOIA appeals described above
- I. The first set of guidelines, instructions and/or forms created to control the agency's processing of FOIA appeals

We conducted a search and found no records that are responsive to your request. Any possible responsive records were likely destroyed decades ago consistent with the National Archives General Records Schedule 4.2 that applies to federal agencies and, among other things, schedules FOIA requests to be destroyed six years after final agency action. However, for your information, we are attaching a copy of the current ACHP FOIA regulations published in the Federal Register (46 FR 45334).

### **Waiver of Fees and Right to Appeal**

I, Ana L. Velilla-Arce, am the Government Information Specialist for the ACHP, and the person responsible for this FOIA response. I have waived all fees in connection with its production.

You have the right to appeal this FOIA response within 30 calendar days after receiving this letter. The appeal must be in writing and addressed to:

John M. Fowler, Executive Director  
Advisory Council on Historic Preservation  
401 F Street NW, Suite 308  
Washington, DC 20001-2637

The appeal will be acted upon within 20 working days of receipt. A written decision will be issued. If no decision has been issued within this 20 working day period, you will be deemed to have exhausted your administrative remedies.

### **Mediation**

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS in any of the following ways:

Office of Government Information Services  
National Archives and Records Administration  
Room 2510  
8601 Adelphi Road  
College Park, MD 20740-6001  
Email: [ogis@nara.gov](mailto:ogis@nara.gov)  
Telephone: 301-837-1996

Fax: 301-837-0348  
Toll-free: 1-877-684-6448

If you have any questions, you can reach me at [avelilla@achp.gov](mailto:avelilla@achp.gov) or 202-517-0200.

Sincerely,



Ana Velilla-Arce  
Government Information Specialist